

PROB 12C
6156

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

Sealed Motion for Revocation on Offender Under Supervised Release Supervision
Warrant Requested

Name of Offender: Timothy Gerome McCullers Case Number: 5:94-CR-97-6F
Name of Sentencing Judge: Honorable James C. Fox
Date of Original Sentence: September 5, 1995
Original Offense: 21 U.S.C. § 846, Conspiracy to Possess With Intent to Distribute Cocaine;
7 U.S.C. § 2024(b) & 2, Trading Food Stamps for Crack and Aiding and Abetting
Original Sentence: 235 months imprisonment; 60 months supervised release
Type of Supervision: Supervised Release Supervision Started: 01/22/2010
Defense Attorney: Douglas W. Corkhill

EARLIER COURT ACTION

09/05/1995: Sentence reduced to 180 months, pursuant to a Rule 35 Motion by the Government.
04/17/2009: Subsequent to a positive drug screen for cocaine, the court modified the defendant's supervision conditions to include the DROPS Program and a 2-day jail sanction.
07/23/2009: The defendant voluntarily entered the HOPE Reentry Court program.
01/22/2010: Term of Supervised Release revoked for continued drug use. Sentenced to 6 days in custody, credit for time served, followed by 15 months of supervised release.
01/28/2010: The defendant voluntarily re-entered the HOPE Reentry Court program.

PETITIONING THE COURT

Violation 1 - Possessing a controlled substance.

On March 17, 2010, the defendant admitted to the probation officer that on March 4, 2010, he possessed with the intent to distribute an unknown quantity of crack cocaine.

In view thereof, we respectfully petition the court for the issuance of a warrant and recommend that the term of supervision be revoked. Since the defendant has Continued criminal conduct., it is recommended that this petition and order be placed under seal until execution of the warrant. The purpose of sealing this document is to facilitate officer safety and to disallow the defendant's knowledge of issuance of the warrant.

This the 18th day of March, 2010.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Erica W. Foy

Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610, Raleigh, NC
27601-1441
Phone: (919) 861-8660
Executed On: March 18, 2010

MCCULLERS, Timothy Jerome
Motion for Revocation
Page 2

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THE COURT ORDERS:

- ISSUANCE OF A WARRANT. This petition and warrant shall remain sealed until the warrant is executed. The Clerk shall provide a copy of the petition and warrant to the U.S. Probation Office and the U.S. Attorney's Office.
 OTHER:

James C. Fox
James C. Fox
Senior U.S. District Judge

3/19/10
Date